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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/172,665	10/15/1998	WATURA ITO	2091-0169P-S	9578

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EXAMINER

HARRIS, TIA M

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 03/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/172,665

Applicant(s)

ITO, WATURA

Examiner

Tia M Harris

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Continued Prosecution Application*

1. The request filed on 1/8/03 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/172665 is acceptable and a CPA has been established. An action on the CPA follows.

### *Claim Objections*

2. Claim 5 is objected to because of the following informalities: "generation means" should be changed to "generator" (line 6 of the claim). Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ota (JP 08340398) in view of Shintani et al (hereafter referred to as Shintani) (4992875).

**(Claims 1, 5, 9)** Ota discloses an image conversion system comprising a digital image generation means (11) that reads out an image on photographic film and generates a digital image signal representing the image, a format conversion means that converts the format of the digital image signal into a predetermined format used in a digital camera separate from the digital image generation means (Constitution lines 2-3), and an image signal recording means that records the digital image signal in the predetermined format on a recording medium (magnetic disk) (Constitution line 4). The predetermined format is that of JPEG format, which can inherently be used in the digital camera, since it is checked when the image data of the

Art Unit: 2615

camera is not in that format (Constitution line 5). Ota does not specifically disclose the recording medium can be loaded in the digital camera.

Shintani discloses a still video camera that uses a magnetic disk as the recording medium that can be loaded in the camera (Col 4, Lines 4-11, 26-31).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the magnetic disk attaching portion disclosed by Shintani, wherein a magnetic disk can be loaded into a digital camera, such as the one disclosed by Ota, so the digital camera would not have to be limited to being attached to a computer, as illustrated by Ota (Fig 2), but could be used wherever the user desires to capture an image, and have its own memory storage device to store the images for later use.

**(Claims 2, 6, 10)** Ota further discloses the digital image generation means includes a film scanner (11) for reading an image from the photographic film as an analog signal, and an A/D converter for converting the analog signal to the digital image signal (Constitution line 1).

**(Claims 3, 7, 11)** Ota further discloses the format conversion means includes a color transformation means for converting the digital image signal into RGB digital image signals, and a format processor means for converting the RGB digital image signal into the predetermined format for the digital camera (Constitution lines 2-3). Although Ota does not specifically state the RGB color signals are 8-bit digital image signals, it is notoriously well known in the art that in an RGB color signal, each color is expressed in 8 bits.

**(Claims 4, 8, 12)** Ota further discloses control unit (32) as the user input means for allowing a user to designate the predetermined format for conversion of the digital image signal.

### **Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Taylor et al (4302776) discloses a digital still picture storage system wherein image

Art. Unit: 2615

data is scanned from a slide and recorded on a disc. Moronaga et al (5956084) discloses an electronic still-video camera and playback apparatus where image data is stored on a memory card. Nagasaki et al (5376965) discloses an electronic imaging system capable of recording/reproducing images with any of several possible recording media. Boyne (4941125) discloses a digital camera that scans documents, generates digital signals, and stores the image signals on disks. Kristy (5218455) discloses a multiresolution digital imagery photofinishing system wherein image data is read from a film scanner and recorded on a CD. Kakiuchi et al (6085024) discloses an electronic still camera and magnetic disk. Parulski et al (5241659) discloses an auxiliary removable memory for storing image parameter data. Parulski et al (5285237) discloses a system wherein image data is read from a film scanner and recorded on a CD. Parulski (5555098) discloses a method and apparatus for providing multiple programmed audio/still image presentations from a digital disk image player. Axman et al (5448372) discloses a storage and retrieval mechanism for digitized photographic images. Roberts et al (6094219) discloses an electronic still video camera with direct personal computer compatible digital format output. Sasaki et al (5034804) discloses an electronic still camera that stores image data on a semiconductor memory card. Kuchta et al (5164831) discloses an electronic still camera providing multi-format storage of full and reduced resolution images. Sarbadhikari et al (5477264) discloses an electronic imaging system using a removable software-enhanced storage device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tia M Harris whose telephone number is 703-305-4807. The examiner can normally be reached on M-F 8:30 am - 6:00 pm.

Art Unit: 2615

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on 703-308-9644. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

tmh *tmh*  
March 24, 2003

  
NGOC-YEN VU  
PRIMARY EXAMINER